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2006 APR 24 P 3:08

AZ CORP COMMISSION
DOCUMENT CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF)
LIVCO WATER COMPANY FOR AN)
EXTENSION OF ITS CERTIFICATE OF)
CONVENIENCE AND NECESSITY FOR THE)
PROVISION OF WATER SERVICE IN)
PORTIONS OF APACHE COUNTY,)
ARIZONA,)

DOCKET NO. W-02121A-~~06~~-0820

IN THE MATTER OF THE APPLICATION OF)
LIVCO SEWER COMPANY FOR AN)
EXTENSION OF ITS CERTIFICATE OF)
CONVENIENCE AND NECESSITY FOR THE)
PROVISION OF WASTEWATER SERVICE IN)
PORTIONS OF APACHE COUNTY,)
ARIZONA,)

DOCKET NO. SW-02563A-~~06~~-0820

EXCEPTIONS

Livco Water Company and Livco Sewer Company (collectively referred to as "LIVCO" or the "Company") submit these Exceptions to the Recommended Order of the Administrative Law Judge dated April 13, 2006.

1. At page 3, line 21, and at page 13, line 11 the reference to "3" Old Concho Townsite Interconnection" should be "2" Old Concho Townsite Interconnection". There is no 3" interconnection.

2. At page 11, line 12 the Phase III increase goes up from "\$8.60", not "\$86.0".

3. The third Exception is more substantive. At page 16, lines 10 through 22, the Recommended Order proposes a separate sewer rate for the Country Club. The Company would

1 request that there be no separate rate for the Country Club. The Company's Application and it
2 exhibits showed a separate rate for the Country Club only because the present rate is higher for
3 the 2" service sewer service. The Company proposed the same rates for the Commercial Rates
4 and the Country Club. Although the Staff Report referenced the meter size incorrectly as 3",
5 Staff did not differentiate between Commercial and Country Club rates. The 1 1/2 inch service is
6 for the Lodge that has 8 small units with less than 50% average occupancy, and the Club has 2
7 bathrooms and a lunch time kitchen. The Country Club consumption/use is no different than any
8 other Commercial customer. Based on that fact, the Company respectfully requests that the
9 recommended Country Club rates be stricken

10 WHEREFORE, LIVCO respectfully requests that the Commission amend the
11 Recommended Order as proposed above.

12 Respectfully submitted this 29th day of April, 2006.

13 SALLQUIST, DRUMMOND & O'CONNOR, P.C.

14
15 By: 

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1 The original and ten copies of
2 the foregoing were filed this 24th
day of April, 2006:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington St.
Phoenix, AZ 85007

6 A copy of the foregoing
7 mailed ~~and~~ delivered this
24th day of April 2006, to:

8 Brian C. McNeil
9 Arizona Corporation Commission
10 Executive Secretary
1200 West Washington Street
Phoenix, Arizona 85007

11 Hearing Division
12 Arizona Corporation Commission
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